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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _01 August 2007_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _27-38,40-51,54-65 and 67-78_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _27-38,40-51,54-65 and 67-78_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

2.   Claim 27 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention.

Claim 27 lines 4-5 recites "for enabling the at least one user..." It is unclear and

confusing if this 'one user' refers to the 'subscriber' in line 2 or the 'at least one

subscriber' in line 3 or if it refers to a different user than aforementioned. This confusion

makes the claim indefinite. Appropriate clarification and/or correction is required.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

4.   **Claims 27-38, 40-49, 54-65, and 67-76 rejected under 35 U.S.C. 102(e) as**

being anticipated by Goldberg, Patent #6,226,360.

Claims 27-38, 40-49, 54-65, and 67-76 rejected under 35 U.S.C. 102(e) as

being anticipated by Hanson, Patent #6,269,151.

Regarding claim 27, Goldberg and Hanson teaches a system for providing

service output information to a subscriber of a service, comprising:

service subscription means for enabling at least one subscriber to subscribe to the at

least one service that can output personalized information and for enabling the at least

one subscriber to specify preferences for the content and presentation of service output

information, as well as delivery parameters for receiving service output information, the

delivery parameters including at least one device to which service output information is

to be delivered, and delivery instructions based on a detected recipient(Goldberg Fig.1,

col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53);

service processing means for processing the least one service to generate service

output information personalized for the at least one subscriber;

communication means for establishing communication with the at least one device;

detection means for detecting a recipient of the communication; and

delivery means for delivering service output information based on the detected recipient

and the delivery instructions(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson

Fig.2 and col.7 lines 11-53).

Regarding claim 28, Goldberg and Hanson teaches the system of claim 27,

wherein the at least one service is processed when a delivery condition has been

met(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 29, Goldberg and Hanson teaches the system of claim 28,

wherein the delivery condition comprises at

least one of a predetermined schedule, or a triggering event(Goldberg col.5 lines 23-51

and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 30, Goldberg and Hanson teaches the system of claim 28,

wherein the delivery condition is specified by at least one of a subscriber, or an

administrator(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7

lines 11-53).

Regarding claim 31, Goldberg and Hanson teaches the system of claim 27,

wherein the service output information comprises information derived from an on-line

analytical processing (OLAP) system*(Goldberg col.5 lines 23-51 and col.8 lines 6-9;*

Hanson Fig.2 and col.7 lines 11-53; Goldberg and Hanson uses an 'online' analytical

system to process the calls).

Regarding claim 32, Goldberg and Hanson teaches the system of claim 27,

wherein the service output information comprises at least one of static text messages,

dynamic content, blended content, sound clips, music, or advertisements(Goldberg

col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 33, Goldberg and Hanson teaches the system of claim 27,

wherein the at least one device comprises a voice-enabled terminal device(Goldberg

col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 34, Goldberg and Hanson teaches the system of claim 27,

wherein the at least one device comprises a voice-enabled terminal device, and the

detected recipient comprises a person(Goldberg col.5 lines 23-51 and col.8 lines 6-9;

Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 35, Goldberg and Hanson teaches the system of claim 34,

wherein the person is queried for validation information(Goldberg col.5 lines 23-51 and

col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 36, Goldberg and Hanson teaches the system of claim 35,

wherein the validation information is provided by at least one of voice input, or keypad

input(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 37, Goldberg and Hanson teaches the system of claim 27, wherein the at least one device comprises a voice-enabled terminal device, and the detected recipient comprises a machine(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 38, Goldberg and Hanson teaches the system of claim 37, wherein the machine comprises at least one of an answering machine, facsimile machine, or modem(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 39, Goldberg and Hanson teaches the system of claim 27, wherein the delivery parameters are specified by at least one of a subscriber, or an administrator(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 40, Goldberg and Hanson teaches the system of claim 27, wherein the delivery instructions enable the content of the service output information to be differentiated according to whether the detected recipient comprises a person or a machine(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 41, Goldberg and Hanson teaches the system of claim 40, wherein the content of the service output information to be provided when the detected recipient comprises a machine is reduced from the content of the service output information to be provided when the detected recipient comprises a person(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 42, Goldberg and Hanson teaches the system of claim 40, wherein the content of the service output information to be provided when the detected recipient comprises a machine is a message indicating that service output information intended for the at least one subscriber is available(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 43, Goldberg and Hanson teaches the system of claim 27, wherein the communication means comprises a call server for establishing communication with the at least one device by initiating a telephone call(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 44, Goldberg and Hanson teaches the system of claim 43, wherein the detection means comprises a detection module, the detection module sensing a state of a call pickup sequence of the telephone call(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 45, Goldberg and Hanson teaches the system of claim 44, wherein the state of a call pickup sequence comprises a plurality of possible states, and each of the possible states of the call pickup sequence is associated with a detected recipient and the delivery instructions for the detected recipient(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 46, Goldberg and Hanson teaches the system of claim 45, wherein the detection module further comprises a tone detection module, and each tone detected by the tone detection module is associated with at least one of the plurality of possible states(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 47, Goldberg and Hanson teaches the system ofctaim 46,

wherein the tone detection module senses at least one of an answering machine tone, a

facsimile machine tone, or a modem tone(Goldberg col.5 lines 23-51 and col.8 lines 6-9;

Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 48, Goldberg and Hanson teaches the system of claim 47,

wherein the state of the call pickup sequence comprises at least one of receipt by a

person, receipt by an answering machine, receipt by a facsimile machine, or receipt by

a modem(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines

11-53).

Regarding claim 49, Goldberg and Hanson teaches the system of claim 45,

further comprising an interface to an authorization database, the authorization database

storing entries associating each of the plurality of possible states with the corresponding

detected recipient and the delivery instructions for the detected recipient(Goldberg col.5

lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 52, Goldberg and Hanson teaches a system for providing

information to a subscriber of a voice service, comprising:

voice service processing means for processing at least one voice service to identify

voice service output information; voice service subscription means for enabling at least

one subscriber to subscribe to the at least one voice service, and to specify delivery

parameters for receiving voice service output information, the delivery parameters

including at least one device to which voice service output information is to be delivered,

and delivery instructions based on a detected recipient(Goldberg col.5 lines 23-51 and

col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53);

communication means for establishing communication with the at least one device;

detection means for detecting a recipient of the communication; and

delivery means for delivering voice service output information based on the detected

recipient and the delivery instructions(Goldberg col.5 lines 23-51 and col.8 lines 6-9;

Hanson Fig.2 and col.7 lines 11-53).

     Regarding claim 53, Goldberg and Hanson teaches a system for the selection

of voice messages for delivery to a voice service subscriber, comprising:

voice service processing means for processing at least one voice service to generate

output content when at least one predetermined condition has been met;

voice service subscription means for enabling a plurality of voice service subscribers to

subscribe to the at least one voice service, and for enabling a subscriber to specify the

at least one predetermined condition(Goldberg col.5 lines 23-51 and col.8 lines 6-9;

Hanson Fig.2 and col.7 lines 11-53);

communication means for initiating a telephone call to a subscriber to deliver voice

service output content to the subscriber when the at least one predetermined condition

has been met; detection means for detecting a state of a call pickup sequence of the

telephone call delivering the output content; and selection means, in communication

with the detection means, for selecting at least one of a plurality of voice messages to

deliver according to the state of the call pickup sequence detected by the detection

means(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-

53).

     Regarding claim 54, Goldberg and Hanson teaches a method for providing

service output information to a subscriber of a service, comprising:

enabling at least one subscriber to subscribe to at least one service that can output

personalized information, and to specify preferences for the content and presentation of

service output information, as well as delivery parameters for receiving service output

information, the delivery parameters including at least one device to which service

output information is to be delivered, and delivery instructions based on a detected

recipient(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines

11-53);

processing the at least one service to generate service output information personalized

for the at least one subscriber; establishing communication with the at least one device;

detecting a recipient of the communication; and delivering service output information

based on the detected recipient and the delivery instructions(Goldberg col.5 lines 23-51

and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 55, Goldberg and Hanson teaches the method of claim 54,

wherein the at least one service is processed when a delivery condition has been

met(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 56, Goldberg and Hanson teaches the method of claim 55,

wherein the delivery condition comprises at least one of a predetermined schedule, or a

triggering event(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7

lines 11-53).

Regarding claim 57, Goldberg and Hanson teaches the method of claim 55,

wherein the delivery condition is specified by at least one of a subscriber, or an

administrator(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7

lines 11-53).

Regarding claim 58, Goldberg and Hanson teaches the method of claim 54,

wherein the service output information comprises information derived from an on-line

analytical processing (OLAP) system*(Goldberg col.5 lines 23-51 and col.8 lines 6-9;*

Hanson Fig.2 and col.7 lines 11-53; Goldberg and Hanson uses an 'online' analytical

system to process the calls).

Regarding claim 59, Goldberg and Hanson teaches the method of claim 54, wherein the service output information comprises at least one of static text messages, dynamic content, blended content, sound clips, music, or advertisements(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 60, Goldberg and Hanson teaches the method of claim 54, wherein the at least one device comprises a voice-enabled terminal device(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 61, Goldberg and Hanson teaches the method of claim 54, wherein the at least one device comprises a voice-enabled terminal device, and the detected recipient comprises a person(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 62, Goldberg and Hanson teaches the method of claim 61, further comprising the step of querying the personfor validation information(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 63, Goldberg and Hanson teaches the method of claim 62, further comprising the step of providing the validation information by at least one of voice input, or keypad input(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 64, Goldberg and Hanson teaches the method of claim 54, wherein the at least one device comprises a voice-enabled terminal device, and the detected recipient comprises a machine(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 65, Goldberg and Hanson teaches the method of claim 64,

wherein the machine comprises at least one of an answering machine, facsimile machine, or modem(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 66, Goldberg and Hanson teaches the method of claim 54, wherein the delivery parameters are specified by at least one of a subscriber, or an administrator(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 67, Goldberg and Hanson teaches the method of claim 54, wherein the delivery instructions enable the content of the service output information to be differentiated according to whether the detected recipient comprises a person or a machine(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 68, Goldberg and Hanson teaches the method of claim 67, wherein the content of the service output information to be provided when the detected recipient comprises a machine is reduced from the content of the service output information to be provided when the detected recipient comprises a person(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 69, Goldberg and Hanson teaches the method of claim 67, wherein the content of the service output information to be provided when the detected recipient comprises a machine is a message indicating that service output information intended for the at least one subscriber is available(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 70, Goldberg and Hanson teaches the method of claim 54, wherein the step of establishing communication further comprises a call server initiating

a telephone call with the at least one device(Goldberg col.5 lines 23-51 and col.8 lines

6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 71, Goldberg and Hanson teaches the method of claim 70,

wherein the step of detecting a recipient further comprises a detection module sensing a

state of a call pickup sequence of the telephone call(Goldberg col.5 lines 23-51 and

col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 72, Goldberg and Hanson teaches the method of claim 71,

wherein the state of a call pickup sequence comprises a plurality of possible states, and

each of the possible states of the call pickup sequence is associated with a detected

recipient and the delivery instructions for the detected recipient(Goldberg col.5 lines 23-

51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 73, Goldberg and Hanson teaches the method of claim 72,

wherein the detection module further comprises a tone detection module, and each tone

detected by the tone detection module is associated with at least one of the plurality of

possible states(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7

lines 11-53).

Regarding claim 74, Goldberg and Hanson teaches the method of claim 73,

wherein the tone detection module senses at least one of an answering machine tone, a

facsimile machine tone, or a modem tone(Goldberg col.5 lines 23-51 and col.8 lines 6-9;

Hanson Fig.2 and col.7 lines 11-53).

Regarding claim 75, Goldberg and Hanson teaches the method of claim 74,

wherein the state of the call pickup sequence comprises at least one of receipt by a

person, receipt by an answering machine, receipt by a facsimile machine, or receipt by

a modem(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines

11-53).

Regarding claim 76, Goldberg and Hanson teaches the method of claim 72,

further comprising: providing an interface to an authorization database, the authorization

database storing entries associating each of the plurality of possible states with the

corresponding detected recipient and the delivery instructions for the detected

recipient(Goldberg col.5 lines 23-51 and col.8 lines 6-9; Hanson Fig.2 and col.7 lines

11-53).

Response to Arguments

5.   Applicant's arguments with respect to claims 27-78 have been considered but are

moot in view of the new ground(s) of rejection.

Allowable Subject Matter

6.   Claims 50-51 objected to as being dependent upon a rejected base claim but

would be allowable if claim 27 is rewritten to overcome the rejection under 35

U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the

limitations of the base claim and any intervening claims.

7.   Claims 77-78 objected to as being dependent upon a rejected base claim, but

would be allowable if rewritten in independent form including all of the limitations of the

base claim and any intervening claims.

Regarding claims 50 and 77, the prior arts of record can not be reasonably

combined to disclose, in view of the preceding features, wherein the association

between the plurality of states and corresponding detected recipients can be altered by

an administrator or a subscriber.

Regarding claims 51 and 78, the prior arts of record can not be reasonably

combined to disclose, in view of the preceding features, wherein the telephone call is

aborted when the state of the call pickup sequence does not meet at least a minimum authorization criterion stored in the authorization database.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph T. Phan whose telephone number is (571) 272-7544. The examiner can normally be reached on Mon-Fri 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JTP

October 11, 2007